

IMPROVING POLE ACCESS TO DRIVE BROADBAND DEPLOYMENT

I. The record is complete and demonstrates the need for reform.

- It is not uncommon for a KDL or customer project to be delayed by *one or two years* simply because of make ready issues.
- State actions demonstrate that reform enables deployment – Fibertech lays far more fiber Connecticut and New York because those states provide relatively predictable and timely pole access.

II. Broadband deployment requires firm pole access deadlines.

Providers must be able to commit to provide service within a reasonable time. Without firm deadlines, broadband providers cannot make meaningful promises to their customers or justify investment.

The Commission should adopt make ready deadlines for FCC-regulated states modeled on the successful approaches of Connecticut and New York. Specifically:

- **45 days** to complete the make-ready estimate, as the FCC already requires.
- **45 days** to complete make-ready work and issue the requested license.
- Shorter time periods for smaller applications.

III. The Commission has recognized the need for firm deadlines to prevent unreasonable delays and foster broadband deployment.

- Wireless Tower Siting Order - 90 days for the review of collocation applications and 150 days for the review of siting applications other than collocations.
- Cable Franchising Order - 90 days for entities with existing authority to access public rights-of-way and 6 months for entities that do not have authority to access public rights-of-way.

IV. Broadband deployment requires reasonable make ready costs.

- Ensure market discipline on make ready costs.
- Ensure pole owners may not hold an attacher responsible for costs arising from the correction of other attachers' safety violations by codifying the *Knology* decision.

V. Firm deadlines and reasonable make ready costs must be paired with self-executing remedies.

Where pole owners cannot meet applicable make ready deadlines, the Commission should not compound delays by forcing attachers to file a complaint with the FCC to obtain access. Instead, the Commission should expressly permit attachers to:

- Hire utility-approved contractors to perform make ready work;
- Use NESC-compliant temporary attachments; and
- Use boxing and extension where appropriate to avoid unnecessary make ready work.